

**NEARLY EIGHTEEN THOUSAND SAVED**  
From Appropriation Bill by Senate at Today's Session.

**KALAUOKALANI LEADS IN ECONOMICAL PLAN**

Two Road Supervisors Decided on for Honolulu—Each to Receive \$3,000—Thirty-nine Items Considered.

The Senate, at this forenoon's session, saved \$17,800 out of thirty-nine items under the heads of "Treasury Department" and "Department of Public Works." Mr. Kalauokalani was the principal figure in the reductions all along the line and his views were shared by the majority of the Republicans. It is calculated that, when the Appropriation bill has been passed in third reading by the Senate, there will be a saving of at least \$150,000, from the estimates as submitted by the Governor.

When the Senate met this forenoon, the clerk read the special appropriation bill of the House for the third time. On motion of Mr. J. Brown, it passed third reading by a vote of 8 to 2. Messrs. Kalauokalani and Kanuha voting in the negative.

The Appropriation bill was then taken up for consideration on the list of unfinished business and the following items were disposed of:

Salary of the Treasurer, reduced from \$6000 to \$5000; salary of the Registrar of Public Accounts, reduced from \$4500 to \$3500; salary of bookkeeper, reduced from \$3000 to \$2400; salary of License Inspector, (new) \$3500, stricken out; salary of license clerk (new), \$3,600, stricken out; salary of Assistant License and Recording Clerk, \$2400, amended to read "salary of License and Recording Clerk, \$2400, and messenger," salary of Messenger, \$1200; salary of stenographer and typewriter (new), stricken out.

Under the sub-head of Tax Bureau, the following salaries were disposed of: Salary of Assessor, Oahu, \$5400, reduced to \$5200; salary of the Assessor, Hawaii, \$5000, reduced to \$4800; salary of the Assessor, Maui, \$4000, reduced to \$4100; salary of the Assessor, Kauai, \$4000, reduced to \$3800; salary of the Commission, Deputy Assessors and Collectors, \$25,000, referred to the Ways and Means Committee.

Under the head of Bureau of Conveyances, the following salaries were disposed of: Salary of Registrar of Conveyances, \$5400, reduced to \$5200; salary of Deputy Registrar of Conveyances, \$3000; pay roll, Indexer, Copyist and Messenger, \$11,200, and pay roll, Revising Indexing Work (new), \$4500, referred to the Ways and Means Committee.

Under the head of Department of Public Works, the salary of the Superintendent of Public Works, \$9000, was discussed at some length. On motion of Mr. Crabbe, the salary was finally disposed of as in the bill.

When the salary of the Assistant Superintendent of Public Works, \$6000, was considered, a tie vote resulted on the motion to pass the item as in the bill and the chair voted on the side of the affirmative.

Other items under the same head were passed as follows: Salary of Chief Clerk, \$5400, reduced to \$5200; First Assistant Clerk, \$4800, reduced to \$4600; Second Assistant Clerk, \$3500, reduced to \$3400; Third Assistant Clerk, \$3000, reduced to \$2900; Fourth Assistant Clerk and Copyist, \$2400, reduced to \$2300; stenographer, Typewriter, etc., \$2000, reduced to \$1800; Agent Public Works, \$1200; two messengers, \$2400, reduced to \$2200; Road Engineer, \$4800, reduced to \$4,600; Bookkeeper, \$3600, stricken out; Draughtsmen, \$7200, reduced to \$7000.

**College Hills**

We wish to announce to the public that, by the terms of a contract just signed, the

**ELECTRIC ROAD of the RAPID TRANSIT CO.**

Will be immediately extended through College Hills, following the line of our main boulevard.

Construction will begin AT ONCE, and the road will be in operation within four months, giving a 20-minute service.

**M'CLELLAN POND & CO.**  
REAL ESTATE - INSURANCE - INVESTMENTS.

OR  
**CASTLE & LANSDALE**

Clerk, \$2400, reduced to \$2200; Superintendent of Sewers, \$3000, referred to the Committee on Ways and Means; sewer pay roll, \$5520, passed as in the bill.

When it came to the salary of Road Supervisor, Honolulu, the item was split up and passed as follows:

Salary of Road Supervisor, Fourth District, Honolulu, \$3000.

Salary of Road Supervisor, Fifth District, Honolulu, \$3000.

The remainder of the items considered passed as follows: Two Cantonments, road over Nuuanu Pali, \$720 each, \$1440; two Cantonments, Schaefer's to Nuuanu Pali, \$720 each, \$1440; pay roll, Waikamilo Camp, \$3360, referred to the Ways and Means Committee; salary of Harbormaster, \$6000; pay roll, steam tug, referred to Public Lands Committee.

At 12 m., the Senate took the usual recess.

The Senate met at 2:10 this afternoon and immediately adjourned till Monday.

## JURY MAKES CALL

A police officer was kept busy this forenoon looking up witnesses subpoenaed to appear before the Grand Jury, now investigating bribery charges. The list is as follows: L. A. Thurston, Henry E. Cooper, F. J. Lowrey, E. P. Dole, Allan Dunn, Emma Nawai, A. W. Pearson, John Kidwell, G. R. Carter, W. C. Achi, Dr. Russell, J. Emmeluth, J. E. Bush, F. J. Testa and A. P. Taylor. All but Mrs. Nawai and A. P. Taylor are in the city.

When the Senate convened this morning, Dr. Russell arose to speak on the matter. He said that he would not appear before the Grand Jury. If he had been asked pleasantly, he might consider the matter, but he would not be forced. Senators were free from arrest.

Mr. Achi said that he also had been summoned to appear at 10 o'clock. He had business in the Senate and therefore, he would not appear, no matter what was done to him. Mr. Carter echoed the same sentiment.

The matter of the interpreter's subpoena having been brought up, the Senate finally decided to send the sergeant-at-arms over to the Judiciary building to find out just when the interpreter was needed. The sergeant-at-arms returned but he failed to make a report.

## NEW OFFICES OF THE O. R. & L. CO.

The general offices of the Oahu Railway & Land Company on the fourth floor of the Stangenwald building present the complete and richest appearance of any business headquarters in the city. The company will use the entire floor. Besides a large counting room, there are eight other office rooms. The furnishings are grained to match the rich quarter sawed oak counters and desks. The lighting is fine and the arrangement of every detail contributes to the convenience of the public and officers of the company.

In the mauka Waikiki corner, a suite of three rooms is set apart as the private office of B. F. Dillingham. Rooms adjoining will be occupied by E. E. Paxton and Walter Dillingham. Treasurer M. P. Robinson and Secretary A. W. Van Valkenburg will have desks in the counting room, near the main window. W. C. Crook Jr., will occupy the cashier's cage a little further down the corridor. A large room for directors' meetings is situated under the skylight. A heavy fire proof vault encloses the very complete equipment of this metropolitan floor.

The different corporations having their headquarters in these offices are: The B. F. Dillingham Company; The Oahu Railway and Land Company; The Hilo Railroad Company; The Olaa Sugar Company, and The Dowsett Co. Ltd.

## HOUSE DOES LITTLE WORK

Practically nothing was done in the House this morning. The Independents have now turned completely around and, instead of voting instant death to all salaries and officers, they are raising the pay with a rapidity which is alarming to the taxpayers.

"I believe we should pass the Governor's estimates as they stand now," said Akina. "The Governor has all the proper papers and information at hand and knows just how much the departments need. If we run short of money, the Governor can call another extra session and give us a Loan bill to work on."

The House raised the following salaries: District Magistrate of Ewa from \$1680 to \$2750; District Magistrate of Koolau, from \$1600 to \$1900.

The salary of the Second District Magistrate of Honolulu was fixed at \$2760 and the salary of the clerk of the District Court was left at \$1800.

At 12 o'clock, the House took the usual noon recess.

Best boarding service in city at Stock Yards Stables.

# THEY MUST RESPECT THE GRAND JURY

A sensation came out of the Grand Jury room yesterday afternoon by the appearance of Foreman J. O. Carter in the court room with the statement that certain witnesses summoned to testify in the bribery matters had refused to answer the questions propounded. The foreman asked Judge Humphreys to instruct him under the circumstances.

Following is the stenographic report of the court proceedings regarding the matter:

Mr. Foreman and gentlemen of the Grand Jury, I understand that you desire some additional instructions as to your duties, powers and privileges.

The Foreman—In pursuance of the duties of the Grand Jury we have summoned and caused to appear before us certain persons who upon being sworn and asked to give information which they admitted they have, declined to do so as a matter of privilege, and the Grand Jury would like an instruction as to the power to compel the parties to give testimony.

The Court—Are any of the persons who have claimed that privilege at your hands, the exemption from being required to give testimony before you, charged with any criminal offense?

The Foreman—They are not.

The Court—Does any one of the persons who have appeared before you, act in the capacity of counsel or attorney at law for any person who is charged before you with a criminal offense?

The Foreman—No sir.

The Court—Upon what ground is the claim of privilege based? State it in each case and state the names of the individuals who claim the privilege.

The Foreman—Henry Cooper, as Secretary of State of the Territory of Hawaii, declined to give the source of information as a matter of privilege, and furthermore declined to give any information to the Grand Jury as to the testimony that he has of an attempt to corrupt members of the Legislature.

The Court—Was Mr. Cooper sworn as a witness?

The Foreman—Mr. Cooper was sworn, yes sir.

The Court—And were the questions asked him by the foreman and other members of the Grand Jury?

The Foreman—Foreman and other members of the Grand Jury.

The Court—Were any other persons present except members of the Grand Jury or the Attorney General or some person representing the Department of Justice as attorney for the Territory?

The Foreman—There were none in the room excepting the Grand Jury and the witness.

The Court—And who was the other person?

The Foreman—Mr. Lorrin A. Thurston was before the jury, and on being sworn declined to state as to information that he had because of the confidential relation which he bore to a client as counsel.

The Court—Did he say that that confidential relation arose out of his relation as attorney to a person charged with crime?

The Foreman—He did not.

The Court—Did he base his claim to the privilege upon any other ground than that stated by you?

The Foreman—He did not.

The Court—Did Mr. Cooper base his claim of privilege upon any other ground than that stated by you, to wit, that he claimed his privilege as Secretary of State from being required to give testimony as to information which he had received through confidential sources as to the alleged bribery of members of the Legislature?

The Foreman—He was before us as acting Governor and Secretary of State, Mr. Dole being out of town, he is now acting Governor. He did not, but he made this statement to the Grand Jury, that any statement which he might make might create the ends of justice. The Attorney General was also before the Grand Jury but was not sworn because he declined to give any information as a matter of privilege.

The Court—Did you swear the Attorney General?

The Foreman—I did not swear him at the time.

The Court—Did he decline to be sworn?

The Foreman—I did not ask him to be sworn. He made his statement, in fact sent us a letter afterwards embracing that refusal on the ground of privilege.

The Court—Was the declaration to answer questions propounded by you in each case positive and emphatic?

The Foreman—Positive and emphatic.

The Court—The instructions which you require at the hands of the Court Mr. Foreman and gentlemen of the Grand Jury, impose upon this Court a very solemn, very sacred, very great, and very delicate responsibility. It is a responsibility like all other responsibilities, which when met in the course of judicial labor and duty must be met conscientiously and fearlessly.

The members of a coordinate department of the government, those who occupy high official position, are entitled by virtue of their high positions to be treated with the greatest courtesy, the

greatest consideration and the greatest respect at all times; such amenity is not due the station even though the man be not entitled to them.

It is not the desire of this Court to cross-examine or to have you unnecessarily cross-examine any member of any department of this government, subject them to inconvenience or to place them upon trial unnecessarily. That would be a most deplorable thing to do, a thing which this Court would not tolerate, and a thing which your high character would forbid you considering for a moment.

Neither the Governor of this Territory, nor the Secretary of this Territory, nor any other person to my knowledge is exempt from obeying the process of this Grand Jury. And having obeyed it and having appeared before you, of giving testimony the same as any other witness.

If one occupying a high official position can escape the duty, the responsibility and the liability which is devolved upon any other citizen of testifying to an alleged criminal offense, it would be absolutely within the power of anyone occupying such high station to observe the commission of an offense of a serious nature, to become themselves parties to the commission of such offense, and escape all liability as a witness merely by saying, "I am what I am." Gentlemen, in a free country this cannot be tolerated. This Court will not tolerate it.

In 1897 Aaron Burr, who had previously by the suffrage of a free and brave people been called to the Vice Presidential chair of the United States, elected on the same ticket, if my memory forsakes me not, with President Jefferson, was indicted, charged with the offense of high treason against the United States. He had fallen from the high estate of being the idol of the people, one whom they honored and respected and worshipped, and was cast to the unfortunate and deplorable position of being one consigned and almost universally despised and hated. He was brought to trial charged with high treason at Richmond, Virginia, before the greatest Chief Justice that the United States has ever produced John Marshall.

During the progress of that trial, Colonel Burr moved the Court while the Grand Jury was investigating the charge of high treason pending against him, that it issue a subpoena duces tecum to the President of the United States requiring him to testify before that Grand Jury and give testimony in his behalf.

Not only as I have stated was this case tried before the eminent Chief Justice of the United States, but the counsel in the case were conspicuous for their learning, high character and high integrity. Colonel Burr, assisted by William Wirt, the distinguished lawyer of Virginia, Colonel Burr was defended by John Wickham, and Luther Martin of Maryland.

When the motion was made that the subpoena duces tecum be issued to require the President of the United States to appear before the Grand Jury and testify, and not only to appear and testify but to bring with him official papers and documents, the idea was hoisted by the distinguished counsel representing the Government. I shall read you what Luther Martin had to say upon that occasion in presenting the case for Colonel Burr:

"We are told that there ought to be respect between the departments of government; that we ought to respect the President. Is it derogatory from that respect, to issue process to obtain necessary testimony from him? Will the President think himself insulted by the demand of a mere document? Can he possibly think its disrespectful? But suppose he should, is the life of a man, lately high in public esteem, not indeed the first, but the second citizen in our country, to be endangered for the sake of petteillo to the President of the United States? Sir, we appeal to the Supreme Maker, that we only wish justice, and fear only perjury. We approach with lifted hands, the sacred altar of justice, as a sanctuary to screen us, not from just punishment, but from unjust, rancorous persecution, and from this sanctuary we confidently expect protection."

After prolonged argument by the eminent counsel in that case on both sides, the Chief Justice of the United States concluded that it was the right of the defendant in that case to have a subpoena duces tecum issue to President Jefferson, and he ordered the clerk of the court to issue the subpoena. And in delivering the opinion of the Court Chief Justice Marshall among other things observed as follows:

"Much has been said by the attorneys of the United States about the disrespect to the Chief Magistrate and to those who occupy high official position. These observations will be truly answered by the declaration, that this court feels many, perhaps, peculiar motives, for manifesting as guarded a respect for the Chief Magistrate of the Union as is compatible with its official

duties. To go beyond these would exhibit a conduct, which would deserve some other appellation than the term respect."

(Continued on page 4.)

## CUNHA AND IRVINE FIGHT TO A FINISH

The first tennis matches of the Hawaiian Tennis Association's tournament attracted a good sized and enthusiastic crowd. Probably the most interesting match of the day was between A. Cunha and J. Irvine. It was "nip and tuck" all the way through, the games being mostly "deuce." Irvine finally won out 13-11. In the second set, Cunha excelled in placing and, after a tight tussel, won the set 6-4. By that time the shades of night were falling and the comet had already made its appearance, so that it was decided to play the deciding match today.

The other games played were as follows:

Heretania Tennis Club courts—Cushman Carter defeated George Waterhouse, 6-2, 7-5.

A. T. Brock defeated M. A. Cheek, 6-3, 6-4.

Pacific Tennis Club courts—P. W. Lansdale defeated C. A. Rice, 6-1, 6-1.

A. L. Castle defeated S. G. Wilder, 7-5, 7-5.

The following games will be played today:

Heretania Tennis courts—

At 4:30 p. m., C. H. Cooke against George Canavaro.

At 5 p. m., the winner of the Cunha-Irvine game against A. T. Brock.

Pacific Tennis Club courts—

At 4 p. m., A. Cunha against J. T. Irvine; C. H. Cooke against A. F. Allen.

At 4:15 p. m., Cushman Carter against Donald Ross.

At 5 p. m., C. H. Elston against E. R. Adams.

## DAVID AND GOLIATH ROW BETWEEN FEARLESS AND THE TUG WATERWATCH

Almost a Smashup This Morning During a Race for the Incoming Emma Claudina—Law of the Road.

The captains of the towboats Fearless and Waterwatch are mixed up in a wrangle. Both say the other doesn't know the rule of the road at sea and a complaint was made to Collector Stackable this morning by the captain of the Waterwatch against the captain of the Fearless. The Waterwatch has applied for a license as a towboat and pending the granting of the license the vessel is allowed to do towboat work. This morning both vessels started out after the schooner Emma Claudina from Eureka. The Waterwatch was ahead of the Fearless and as the big boat was approaching the little one she blew one blast of her whistle to notify the Waterwatch that the Fearless was to pass to starboard. Then there was nearly a collision which Captain Brokaw says was the fault of Captain Herbert Young of the Waterwatch. Captain Herbert Young says the Fearless deliberately tried to tip him over and keep him from getting the schooner. He has preferred written charges against Captain Brokaw with the collector.

The rule governing the case is as follows:

"In the following rules the words 'Steam Vessel' and 'Steamer' shall include any vessel propelled by machinery. In the 'Rule VIII' when steam vessels are running in the same direction, and the vessel which is astern shall desire to pass on the right or starboard hand of the vessel ahead, she shall give one short blast of the steam whistle, as a signal of such desire, and if the vessel ahead answers with one blast, she shall put her helm to port; or if she shall desire to pass on the left or port side, of the vessel ahead, she shall give two short blasts of the steam whistle as a signal of such desire. And if the vessel ahead answers with two blasts, she shall put her helm to starboard. \* \* \* The vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel."

Fine Job Printing at the Bulletin Office.

## VERDICT TO TRAMWAY

JUDGE HUMPHREYS DENIES MOTION FOR NEW TRIAL

Verdict for \$56 Damages in Judge Eding's Court—Case of Mendonca vs. Markham This Afternoon.

This morning in the Circuit Court, the sealed verdict in the case of H. R. Hitchcock vs. Hawaiian Tramways Co., Ltd., was ordered opened by Judge Humphreys. The verdict was read by Clerk Kellett and was for the defendant. The suit was for \$5000 damages for personal injury.

When the verdict had been announced, Geo. A. Davis, attorney for the plaintiff moved for a new trial on the grounds that the jury had been influenced in reaching a verdict by the too strenuous insistence of the court that they must agree. He made an extended speech in support of the motion. Judge Humphreys reviewed the trial of the case and recounted the successive steps in the intercourse between the jury, the court and counsel for both sides. The court referred to the stipulation of attorneys made yesterday at noon, that a sealed verdict might be returned and recalled the fact that both counsel had not objected to the additional instructions given the jury at its request yesterday afternoon and flatly denied the motion. Exception to the decision was noted.

A license to practice law in the District Courts has been issued to David Kanuha.

Kinney, Ballou & McManahan for defendants in the action to quiet title of S. Ahmi vs. Annie Waller et al., have filed answer denying that plaintiff has any right or title in the lands in question.

In the case of John Loeffler vs. Palama Cooperative Grocery Co., motion for continuance until next term was granted by Judge Humphreys this morning.

The case of E. K. Prendergast vs. Peter Martin was up for trial again this morning.

This afternoon the suit of J. P. Mendonca vs. Geo. Markham will be tried before a jury.

In Judge Edings court this morning the jury in the ejectment suit of L. Ahlo vs. Mow Yuen, returned a verdict for the plaintiff, awarding damages of \$56.

For Groceries, Ring up Blue 911.

## SAFE MOVER OF SAFES.

William Larsen has just completed the ponderous but delicate job of transferring five heavy safes from the Judd building to the Stangenwald building. One of these safes, belonging to the Oahu Railway Company, weighs 7000 pounds. The elevators are built to carry only a ton and a half, so Larsen had to raise and lower the heavy weight with tackle of his own. The destination of the big safe was on the fourth floor of the new building. In hoisting, two hours were required. The whole job of moving the safes was done without an accident to fingers, toes, plaster, paint or floor. It took three days to carry them over.

## Stone Quarry Reserved.

J. H. Boyd, Marston Campbell, Surveyor W. W. Wall and Jared Smith made a tour of the Makiki reservation yesterday. They agreed upon a reservation of eight or ten acres of the Experiment Station Reserve, for the use of the Territory. The Makiki stone crusher and adjacent stone quarries needed by the Territory are located on this reserve. As the land in question was of no value for agricultural purposes, Mr. Smith readily agreed that title to it should remain with the Territory. The work of surveying it will begin within a day or two.

## JUST WHAT YOU'VE BEEN LOOKING FOR

A shoe that would fit your feet—look well and always feel good. — The J. A. Banister and the Strong and Garfield Shoes will give you satisfaction in every way.

All the latest styles to be had at the

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